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TAGS: [MARR](#) [PREL](#) [PGOV](#) [MASS](#) [MOPS](#) [IZ](#)
SUBJECT: AMBASSADOR RAISES SOFA/SF AND ICI WITH D/PM BARHAM
SALIH

REF: A. 2007 STATE 120608
[1](#)B. BAGHDAD 00742
[1](#)C. BAGHDAD 00477

Classified By: Ambassador Ryan C. Crocker for reasons 1.4 b. and d.

Summary

[1](#)1. (S) Ambassador met March 13 with Deputy Prime Minister Barham Salih to discuss the Status of Forces Agreement (SOFA) and Strategic Framework (SF) negotiations, the Prime Minister's participation in the International Compact for Iraq (ICI) ministerial, and security at Umm Qasr port and in Basrah Province. The Deputy Prime Minister agreed with the dual track approach to negotiation of the SOFA and SF. He indicated that PM Maliki would not be able to attend the ICI ministerial if it were held in late April, suggesting instead the latter half of May. They also touched on budget execution, regionalism and provincial powers, hydrocarbon legislation, the recently concluded Arab Inter-Parliamentary Union, and the upcoming fifth anniversary of the liberation of Iraq from Saddam Hussein dictatorship. End Summary

SOFA/SF Way Forward

[1](#)2. (S) In a forty minute meeting at Deputy Prime Minister Barham Salih's office, Ambassador laid out USG preferred way forward on negotiating the texts of the SOFA and the SF, presenting copies of the proposed texts to Salih. (Note: Recently returned from travel to Dubai, Salih had not previously seen the texts. End Note.) The D/PM thanked the Ambassador for the copies, inquiring if the talks had begun. After responding affirmatively, the Ambassador told Salih that the USG foresees dual-tracked, concurrent negotiations. At the technical or expert level, Deputy MFA Mohammad Haj Hamoud will negotiate the SOFA and its attachments on operations, detention authority, and legal jurisdiction over contractors. Ambassador highlighted the distinction in the SOFA between the enduring clauses, much like other SOFAs the U.S. has signed, and the temporary elements on operations, detention, and contractors. The SF must be negotiated at the political level. He suggested that the five signatories of the August 26 declaration, assisted by their deputies, oversee negotiation of the SF. (Note. The signatories are the Presidency Council, the Prime Minister, and KRG President Massoud Barzani, (ref. A). End Note.)

[1](#)3. (S) Salih understood the need for the dual track approach and the role of senior leaders' deputies in negotiating the SF. He noted, however, that the SOFA would be difficult to negotiate because of its attachments, also adding that discussion of bases would be important, and possibly

contentious. He noted the contentious issues would need senior political level oversight. Ambassador stressed the importance of maintaining momentum now that talks had begun. While the Iraqi technical experts were examining the SOFA text, the five aforementioned political leaders could move forward in discussing the SF. Salih suggested that Vice President Tariq al-Hashimi's call for negotiating economic and cultural elements of the SF first described a good path to follow. Ambassador replied that the two texts should be negotiated concurrently. Salih agreed, but reiterated the political value with local constituencies of making progress quickly in the economic and political spheres of the SF.

International Compact for Iraq Dates

¶4. (S) Underlining the significance of the Prime Minister's participation in the International Compact for Iraq (ICI) one-year anniversary ministerial, Ambassador inquired if the PM could attend in late April. He also noted the usefulness of the European venue and the necessity of a well-planned meeting. Salih agreed that the presence of the PM with the UN Secretary General was vitally important, but stated it would

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be best to put off the ministerial until mid to late May due to the PM's heavy travel schedule in April. (Note: PM Maliki will travel to Brussels April 16-17 for meetings at NATO and the EU and then to Kuwait April 22 for the a Neighbors Ministerial conference. End Note.) Ambassador agreed that it would be best to push pack the meeting to the latter half of May.

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¶5. (S) Ambassador noted that he had been in Erbil at the time of the Arab Inter-Parliamentary Union, commenting that it had gone very well and that the Arab parliamentarians had noted the significance of the venue. The prominent display of the new Iraqi flag had also not been lost on the delegates - Erbil is clearly part of Iraq. Salih noted it had been a great success and that Massoud Barzani was well pleased, having pointed out to the visiting parliamentarians that Iraq had the most democratic parliament in the Arab World. Salih also pointed out that Arab League Secretary General Amr Moussa had spoken positively of the meeting, a good first step for him. Ambassador agreed it was a good first step, but Moussa must do more than just say positive things, he should act on behalf of Iraq.

Hydrocarbon Legislation

¶6. (S) Expressing pleasure that Barzani was in a positive frame of mind, Ambassador called for the GOI to seize the opportunity to make progress on the hydrocarbons law. Salih agreed, noting that Kurdish Regional Government (KRG) posturing served no one's interest, adding that, in particular, the inability to sign contracts with serious multi-national oil companies left the Iraqi oil industry prey to "cowboys" who would do little to develop the resource properly. He complained of the Ministry of Oil's complacency and its apparent satisfaction with only minor increases in production. Ambassador was glad to hear that the matter was being discussed in the cabinet and counseled Salih to avoid sweeping Production Service Agreements.

Security in Umm Qasr Port

¶7. (S) Salih expressed deep concern about the security situation in Umm Qasr port and the whole of the province of Basrah. He called the problem "too entrenched" and indicated

that preparations for security operations must be complete before they tackled the security problem. Ambassador concurred, noting that failure in the attempt to restore security in Basrah and Umm Qasr was the only thing worse than the current situation. He suggested that the well-regarded Provincial Operations Commander, General Mohan, and the Provincial Director of Police, General Jalil, be kept on the job. Salih agreed, noting that he had been surprised that both Generals and Governor Wa'eli were of one-mind regarding Basrah security operations. Mohan needs more troops, he added, which is difficult at this time due to security operations in Mosul, the GOI's current leading security priority.

Regionalism/Provincial Power

¶18. (S) Salih expressed concerns that the lack of security in Basrah played into the hands of certain actors, such as the Fadilha party, to push for regional government in the south. A Regional government there would contribute to making the Federal government less relevant, he said. Ambassador concurred, noting that most Iraqis agree the central government needs to assert itself. He later noted that Embassy personnel continued to meet with Vice President Mahdi to help him work through his concerns with the Provincial Powers Act. Salih observed that VP Mahdi had hurt his credibility by breaking with the deal on passage of three laws, thus going against his own party, ISCI, which had voted for the package of laws (ref. C). Ambassador replied that it is now in everyone's interest for the Provincial Powers law to go forward.

Election Law

¶19. (S) Ambassador also noted the importance of passing the Election Law, adding that the UN was making preparations for fall elections (ref. B). Well-run elections at that time would be critical for Iraq. Salih agreed, saying that in both Sunni and Shia areas, elections would serve to improve the political dynamics. He said the political leadership was seeking pre-consensus before bringing the election legislation forward in the Council of Representatives.

Fifth Anniversary of Liberation

¶10. (S) Ambassador reminded Salih of the approaching fifth anniversary of the liberation of Iraq. He suggested that a

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GOI public statement of appreciation for the sacrifices made and being made by the U.S. and Coalition partners would be most appropriate and, in light of upcoming congressional hearing, very useful. Salih agreed on the need to say in public what GOI leaders say in private, noting he was working on OP-EDs for the New York Times and Washington Post.

Budget

¶11. (S) Salih asked if the Ambassador had heard reports that Stuart Bowen had testified March 11 that GOI 2007 Budget execution had been far below the Embassy figure of 63.4 percent. Ambassador replied that he had not heard this and that the World Bank had confirmed the Embassy figure. In response to Ambassador's question, Salih stated that he saw little chance of using the 607 process or something similar to allow the USG to execute Iraqi projects with Iraqi funds. He was non-committal on the Ambassador's suggestion that a case-by-case work-around for critical projects might be acceptable.

Wrap-Up

¶12. (S) Before departing, Ambassador confirmed agreement on the latter part of May for the ICI and further discussions of the SF at the deputy level.

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